

How plat conditions were addressed for Final Plat of Forest Heights (PLN09-00065 and PLN07-00003)

Enclosed please find four copies of the final plat drawings together with the required copies of all supporting documents. The following project narrative is provided in accordance with the final plat submittal requirements and specific responses to each condition of the preliminary plat and the SEPA decision follow.

Project Narrative

The proposed project consists of application for final plat approval to subdivide approximately 13.9 acres into 24 single family lots, including nine tracts for native growth protection easements, common open space, stormwater detention and future development.

The preliminary plat and Clustered Housing Development Agreement (“Development Agreement”) for Forest Heights (Applications PLN 09-00065 and PLN 07-00003) were approved by the Issaquah City Council on August 6, 2012 per Resolution No. 2012-07 and the Development Agreement was recorded with the King County Division of Records and Elections under Auditor’s File No. 20120924000896. **No changes or amendments to the conditions of the preliminary plat, SEPA decision or the Development Agreement have been proposed.**

For the purposes of final plat approval, all necessary and required improvements are hereby requested to be deferred and bonded in accordance with IMC 18.13.280. Engineered construction drawings have been prepared by Encompass Engineering & Surveying in accordance with all stated conditions and have been submitted to the City of Issaquah. **The construction drawings have been approval by the Public Works Engineering Department.**

Preliminary Plat and SEPA Conditions

1. The Applicant shall comply with the SEPA Mitigated Determination of Nonsignificance, dated February 22, 2012. Those 4 conditions of approval are:
 1. *A construction haul route plan shall be approved by the City to minimize construction-related traffic impacts through the Talus neighborhood, prior to issuance of construction permits.*

Response: **The construction haul route plan will be prepared and submitted to the City for review and approval prior to the start of construction. The haul route plan will be consistent with the terms of Condition 28. A note is shown on the approved plan to this effect.**

2. *The following measures are required to avoid project impacts to the existing MSE retaining wall along the west property boundary:*

- 1) *The maximum trench depth should not intersect a line extended down and away from the existing MSE wall footing at a 1.5H:1V slope.*
- 2) *Trench shoring is used and correctly installed.*
- 3) *Maximum length of trench open at one time will be limited depending on the pipe lengths.*
- 4) *Trench is backfilled within 8 hours of excavation.*
- 5) *Existing underdrains that extend from the toe of the MSE wall should be exposed, and connections made to collect the water and convey it by tight line to the project stormwater collection system.*

Response: **All stated measures have been incorporated into the construction drawings and will be followed during construction activities.**

3. *The Applicant shall include the planting of 35 conifer trees in the slope area along the east part of the site on the project landscape plan. The planting shall be installed prior to final plat approval.*

Response: **The submitted landscape plan includes the planting of 35 conifer trees as stated in the condition. All plantings shall be included in the bond(s).**

4. *The Applicant should mitigate for potential impacts on public services with a voluntary contribution in the amount of \$130.32 per new single-family residence for the General Government Buildings Mitigation Fee, and \$166.81 per new single-family residence for the Police Mitigation Fee. The Applicant should pay the voluntary contribution prior to issuance of building permits.*

Response: **What does “voluntary contribution” mean?**

2. The Final Plat of Forest Heights shall place on the plat drawing, the protected Critical Area (steep slopes) along with the 10-foot buffer to the Critical Areas and the 15-foot building setback to the Critical Area buffer.

Response: **The stated protected Critical Areas, buffers and setbacks have been placed on the final plat.**

3. The Final Plat shall illustrate the Native Growth Protection Easement (NGPE), the 10-foot buffer to the NGPE, and the 15-foot building setback to the NGPE buffer. The Final Plat shall include the following language that defines the Native Growth Protection Easement for the steep slope area:

The Native Growth Protection Easement (NGPE) conveys to the public a beneficial interest in the land within the NGPE. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract imposes upon all present and future owners and occupiers of the land subject to the tract the obligation, enforceable on behalf of the public by the City of Issaquah, .to leave undisturbed all trees and other vegetation within the tract. The vegetation within the tract may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City of Issaquah or its successor agency, unless otherwise provided by law. The City, when permitting the cutting, pruning or removal of living or dead vegetation, shall consider demonstrated health and safety concerns.

Response: **The stated NGPE, buffer, setback and easement language have been illustrated and included on the final plat.**

4. Because the steep slope buffer has been reduced from 50 feet to 10 feet, the Applicant shall execute an agreement entitled "Covenant Not to Sue - Slide Prone Areas" which indemnifies and holds the City harmless for development within 50 feet of the steep slopes (IMC 18.10.580-4-b).

Response: **The stated agreement has been requested from the City and will be executed upon request.**

5. New homes on the lots must meet the development standards for setbacks with the Development Agreement as approved by the Development Agreement. Impervious and pervious surface area on the individual lots is not regulated. Building Heights for houses shall comply with the Development Standards of the Land Use Code.

Response: **No building permits have been applied for at this time, but all will incorporate the stated standards.**

6. The Final Plat drawings shall clearly identify the various tracts on property in written language and shall clearly state specifically what the tracts are for and who will be responsible for the maintenance of such tracts.

Response: **All tracts are clearly identified as specified on the final plat.**

7. A Homeowners Association shall be set up for the establishment and maintenance of shared common areas within Forest Heights.

Response: **The homeowners association's CC&R's will include appropriate provisions for the shared common areas and recorded with the final plat accordingly.**

8. As part of the Development Agreement, a minimum of one (1) affordable home meeting City eligibility criteria shall be provided within Forest Heights. The City definition in IMC18.02 of "Affordable Housing, Low income group & Moderate income group" for a family earning between zero (0) and eighty (80) percent of the King County Median Household Income.

Response: **The recorded Development Agreement includes provisions for affordable housing in accordance with the stated condition. (See Paragraph 13 of the Development Agreement.)**

9. The new residential development associated with the Forest Heights subdivision will have an impact on the Parks, Fire protection, General Government, Police and Schools servicing this area. The impact fees for these items will be determined and due when building permits are issued for new single family houses on each of those lots. General Government and Police services were determined by the SEPA Mitigated Determination of Nonsignificance (MSDS).

Response: **All applicable impact fees will be paid upon issuance of the respective building permits.**

10. All storm facilities shall be in compliance with the 1998 King County Surface Water Design Manual (KCSWDM) as adopted by the city that was in effect at the time the Preliminary Plat application submittal was made.

Response: **The submitted construction drawings have been prepared in compliance with the applicable KCSWDM.**

11. Per Issaquah City Municipal Code Chapter 12.32, contractor shall provide and install conduit for cable television. Provide a note on the construction drawings to indicate the required work.

Response: The stated note regarding cable television conduit has been included on the construction drawings.

12. All existing and new overhead utilities (power, telephone, CATV, etc.) shall be constructed underground along and through the project site.

Response: **All utilities will be placed underground and is reflected on the submitted construction drawings.**

13. Geotechnical report will be required.

Response: **A geotechnical report dated April 2006 prepared by Golder Associates has been submitted with the construction drawings.**

14. Water mains shall be designed and installed to meet water quality and fire capacity requirements of the City of Issaquah 2002 Water System Plan Update. The system will require a fire flow of 1000 gpm for single family homes, with a max velocity of 7 ft/sec and will require a minimum 35 PSI to all upper floors.

Response: **The submitted construction drawings reflect the stated water quality and fire capacity requirements.**

15. City of Issaquah Water, Sewer and Street Standards are available for purchase at the Public Works Engineering front desk. They are also available on the City's website.

Response: **Noted and no additional response is necessary.**

16. Street shall be designed to meet the City of Issaquah Street Standards.

Response: **The submitted construction drawings reflect the stated street standards.**

17. NW James Bush Road shall be gated for emergency access only.

Response: **The submitted construction drawings reflect the stated emergency access restriction.**

18. The roadway improvements shall be at least 10 feet from the wall.

Response: **The submitted construction drawings reflect the stated setback.**

19. At time of construction submittal the following civil drawings shall be submitted as part of the application for a Public Works Permit:

- a. Stormwater drainage (1998 KCSWDM) and temporary erosion and sediment control (TESC) submittals meeting the requirements of Chapter 2 of the 2009 City of Issaquah Addendum to the 2009 King County Surface Water Design Manual and IMC Chapter 13 .28 and 16.30. A preliminary drainage plan and Technical Information Report may be required for the Planning Permit.
- b. Clearing and grading plans meeting IMC Chapter 16.28.
- c. Water and sewer plan and profile drawings meeting City of Issaquah Standards.
- d. Frontage and/or Right of Way improvement design drawings meeting City of Issaquah Standards.

- e. All civil drawings shall be stamped and signed by a professional civil engineer.

Response: **As stated above, construction drawings have been prepared by Encompass Engineering & Surveying in accordance with all stated conditions and are pending approval by the Public Works Engineering Department.**

- 20. Fire Department access shall be a minimum of 20 feet wide. No parking in streets will be allowed. "No Parking - Fire Lane" signs will be installed throughout the development on both sides of the streets unless streets are made wider to allow parking and also maintain a 20 feet wide fire department access.

Response: **The submitted construction drawings reflect the stated Fire Department parking restrictions and appropriate signage will be installed accordingly.**

- 21. Please provide a stamped letter from a Washington State licensed engineer stating the entrance road to the development (off of Big Tree Drive NW) has been constructed so no part of that road exceeds 15 %. Please provide this letter to the Fire Department when sub-grade is in place.

If letter is not received and it is found out at a later date the road does exceed 15% (this means at any point) fire sprinklers will be required to be installed in the homes regardless of the square footage of the home.

Response: **The construction drawings reflect a road design with a maximum grade of 15% and the required letter will be submitted upon completion of construction if needed.**

- 22. A foundation soils report by a licensed WA state geotechnical engineer will be required at the time of building permit submittal. A peer review of the submitted soils report by a second engineer may be required on this site due to evidence of landslide hazard.

Response: **The required soils report will be prepared and submitted at the time of building permit application.**

- 23. Structures over 5000 sq. ft. shall have fire sprinklers installed per NFPA 13-D and Eastside Fire & Rescue requirements. Submit for Fire permit.

Response: **No structures over 5000 sq. ft. are proposed.**

- 24. Exterior walls shall be fire-resistance rated and have opening protection as required by the International Residential Code as amended by WA State.

Response: **Future building plans will reflect the applicable requirements of the IRC.**

25. A tree risk assessment shall be done on the NGPE portions of the property. This would benefit the future homeowners, abutting properties and streets by mitigating any significant tree risks up front.

Response: **An appropriate tree risk assessment will be completed prior to issuance of any building permits.**

26. A final landscaping plan shall be approved by the City Planning Department prior to implementation.

Response: **A final landscape plan has been prepared and included with the submitted construction drawings.**

27. On behalf of its property owners/members, the Forest Heights Homeowners Association will work cooperatively with those owners of Talus Div. 5-C Lots 103 through 109 and Lots 111 through 116, inclusive, for the purpose of allowing their designated representative reasonable access to the base of the retaining wall that exists along these lots to inspect the status of the wall. This is strictly permissive activity that is subject to conditions, including reasonable time and manner. Any activity other than an annual inspection will be subject to further discussion by and between the affected lot owners in Talus Div. 5-C and the individual owners in Forest Heights.

Response: **The homeowners association's CC&R's will include appropriate provisions for the continued cooperation with Talus lot owners regarding the retaining wall, as stated above.**

28. NW James Bush Road shall be the sole access road for Forest Heights construction haul and worker traffic to access the site, unless the applicant can show use of this road is not physically feasible or is hazardous due to weather and/or road conditions for equipment and the City approves an alternate route. Contractors will be required to give notice to the City during the permit application and review process should the use of Talus roads be deemed necessary and appropriate during construction; however, additional contractor request and City review may occur during construction. No construction parking shall be allowed on James Bush Road or in Talus even when Talus roads are used for haul and traffic purposes.

Response: **The construction haul route plan will be prepared and submitted to the City for review and approval prior to the start of construction. The haul route plan will be consistent with the terms of Condition 28. A note is shown on the approved plan to this effect.**

29. Prior to beginning construction, a minimum 6 inch-high vertical barrier (such as extruded curbing, jersey barriers, or other measure) shall be installed creating a 5 to 7 foot wide walkway on the southern side of James Bush Road. A clean graveled walking surface shall

be provided as the segregated walkway. The barrier shall be maintained throughout construction and removed at project completion. Project completion will be the final sign off of the final construction permit (such as final inspection approval of the final house construction).

Response: **The submitted construction drawings reflect the stated barrier and walkway requirements.**

30. The Forest Heights Homeowner Association Board and the Talus Homeowner Association Board shall schedule to meet at the earliest time convenient to both Boards following the creation of the Forest Heights Board. The purpose is to prepare a mutual agreement, that may be revised from time to time as may be necessary and appropriate, for use of the Talus recreation tracts, including mini-parks, and trail system by residents and guests of the Forest Heights community and the use of Forest Heights common open space and trails by residents and guests of the Talus community. The Forest Heights Homeowners Association shall pay reasonable costs representing its proportionate share of the annual maintenance cost of the Talus recreation tracts, including mini-parks, and trail system taking into consideration as an offset the reasonable annual cost attributed to Talus resident and guest use of the Forest Heights trail system including common open space Tracts “B” and “C” and other on-site amenities. The mutual agreement will allow:

- Forest Heights residents and guests use of the following, including but not limited to: Talus recreation tracts, including mini-parks, and the trail system which includes tract “M” of Talus Div. 5-C.
- Talus residents and guests use of the following, including but not limited to: Forest Heights trail system, open space Tracts A-H, and access through Tract “B” to Talus Tract “M”.

Response: **The homeowners association’s CC&R’s will include appropriate provisions for the continued cooperation with Talus lot owners regarding use of recreation areas and trails as stated above.**

31. A rockery that is currently in place at the top of the James Bush Road right-of-way is proposed to be removed and replaced with a retaining wall to accommodate a street sidewalk. The design of the retaining wall shall be reviewed by the Talus Architectural Review Committee, and the City if applicable. The applicant and the Talus Home Owners Association will work jointly on the retaining wall design. For the purpose of providing the owner of Lot 126, Talus Div. 5-C (commonly known as 906 Big Tree Drive NW) an opportunity to participate in the design process, the applicant shall provide Lot 126 Owner with notice of Talus Architectural Review Committee meetings relevant to the retaining wall. Notice shall be mailed to Lot 126 Owner no later than 10 days prior to each meeting. The turning radius at the top of James Bush Road that connects to Big

Tree Drive NW shall also be revised as needed to meet Eastside Fire and Rescue vehicle turning radii and street standards within the street right-of-way.

Response: **The submitted construction drawings reflect replacement of the referenced rockery in accordance with the stated condition. Review by the Talus Architectural Review Committee is pending and notice will be provided to Lot 126 Owner accordingly.**

32. Parallel parking shall be provided along the eastern most side of the loop road. The road right of-way shall be widened to 27feet wide, except in the area of the steep slope NGPE and buffer, to accommodate 20 feet for 2 travel lanes and 7 feet of width for parallel parking.

Response: **The submitted construction drawings reflect the stated parking requirements.**

33. The roadway width of Road "A" on the portion of the loop road adjacent the retaining wall and south of the intersection with James Bush Road shall be reduced from 24 to 20 feet width and a 4 feet street planter for street trees located between the road and sidewalk. For the remaining street that is not widened for parallel parking, the street shall be 20 feet wide with the additional 4 feet added to adjacent common areas.

Response: **The submitted construction drawings reflect the stated design requirements.**

34. Prior to permit issuance to construct the plat improvements, the stormwater detention vaults proposed in Tracts "A" and "D" shall be designed as covered vaults. Both Tracts shall be landscaped and common usable open space required for Forest Heights may also be located within these tracts, possibly atop the covered vault(s). If pocket parks are also located over the vaults, the parks shall be owned and maintained by Forest Heights. Recommended common usable open space and park amenities include a tot lot, a table and seating. The design of both the vaults and the open space amenities within those tracts shall be reviewed and approved by City staff prior to issuance of the construction permit. At a later date, if the lids for the vaults are not initially used for common open space or recreation, the Forest Heights Homeowner Association Board may use the lids of either or both stormwater facility as a park, with additional City review and approval. Nothing in this condition creates an obligation on the part of the City to build, own, or maintain either park.

Response: **The submitted construction plans reflect the stated design requirements for the detention vaults and are pending approval by the Public Works Engineering Department. The homeowners association's CC&R's will include appropriate provisions for future use of the lid areas.**

35. Clearing of the site shall be timed with that of the development. All non-critical areas and non-buffer areas within the project may be cleared. Any land cleared and not used for development shall be revegetated with native plantings, including evergreen trees. Any cleared land that sits idle for 6 months shall be revegetated, as required by the Landscaping and Tree Preservation Chapter, IMC 18.12.125. Any revegetated areas shall be maintained for 3 years. When the site is cleared for the construction, the following shall be required: 1) Compliance of Temporary Erosion & Sedimentation Control code (TESC), IMC 16.30.050; 2) Compliance with site restoration code, IMC 16.26.120; 3) Bond requirements including a performance bond and a site restoration bond, IMC 16.30.060.

Response: The submitted construction drawings reflect the stated clearing requirements and the appropriate bonds will be secured prior to construction.

36. With the preconstruction meeting, between the city and a contractor, for Forest Heights site work and/or building construction, any contractor shall submit a traffic control plan as required by the City. The traffic control plan shall include, in addition to those standard items, items to ensure homeowners whose vehicular access is from James Bush Road can reasonable access and exit their homes during construction. At a minimum this would include: flaggers and construction hours which take into account both typical homeowners' travel periods as well as construction schedules. James Bush Road shall also be posted by the contractor with a Notification of Construction sign at least 14 days prior to the commencement of construction activity.

Response: An appropriate traffic control plan will be submitted at the preconstruction meeting and the James Bush Road shall be posted as stated in the condition.